



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/377,642

08/19/1999

MARC LESLIE COHEN

AT9-99-287

8153

7590

08/07/2002

DUKE W YEE
CARSTENS YEE & CAHOO LLP
P O BOX 802334
DALLAS, TX 75380

EXAMINER

TUNG, KEE M

ART UNIT

PAPER NUMBER

2671

DATE MAILED: 08/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/377,642

Applicant(s)

COHEN ET AL.

Examiner

Kee M Tung

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The amendment filed 6/20/02 has been considered in preparing this office action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 12-24 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Noorbakhsh (5,699,498).

Noorbakhsh teaches a video graphics array controllers with bit boundary block transfer engines or hardware accelerators (Fig. 1) comprising a system memory (14) for storing source bitmap (col. 1, lines 31-35), a video memory (22) for storing destination bitmap (36-37), a host processor (12), a system bus (16), and a graphics controller (20) for performing a raster operation of the source and destination bitmap (col. 1, lines 24-30); and writing the resulted into the video memory (col. 1, lines 30-31). Therefore, at least claims 1-6, 12-24 and 30 are anticipated by Noorbakhsh.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-11, 25-29 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noorbakhsh (5,699,498) in view of Brech (5,790,887).

The teachings of Noorbakhsh are given in previous paragraph of this office action. However, Noorbakhsh fails to explicitly suggest or teach collecting a set of I/O operations into a batch of I/O operations ... This is what Brech teaches (abstract). Brech teaches a batched list of PIO operations is stored in a buffer. Then the batched list of PIO operations is moved as a **single system bus operation** to an I/O bus interface unit. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to combine the teachings of Brech into the system of Noorbakhsh in order to avoid the processor wait time and inefficient bus usage problems amount prior art system as taught by Brech (col. 1, lines 13-67). Therefore, at least claims 7-11, 25-29 and 31-32 would have been obvious.

Response to Arguments

5. Applicant's arguments filed 6/20/02 have been fully considered but they are not persuasive.

Applicant seems to argue that Noorbakhsh fails to read and write a plurality of picture elements (pixels) (amendment page 8, lines 1-3). The examiner disagrees. Noorbakhsh clearly teaches to transfer a group of pixels (a block means more than one pixel) instead of a single pixel by using BitBlit (Bit boundary **block** transfer).

Regarding 103 rejection, applicant argues that the combined system fails to suggest or teach, "the input operations are collected into a batch of input operations substantially equal to a number of rasters". The examiner disagrees with applicant

because the feature reads by the teachings of Brech, such as, "a batched list (reads the collection of batches) of PIO operations is stored in a buffer. Then the batched list is moved as a single system bus operation to an I/O bus interface unit."

Applicant further argues that the examiner fails to point out the desirability of the proposed modification. The examiner clearly points to the specification of Brech, such as to solve the prior art problems.

Then, applicant argues that "obviousness must be supported by some teaching or suggestion contained in the combined references." The examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skill in the art would be motivated to make the proposed combination. However, it is not necessary that the references actually suggest, expressly or in so many words, the changes or improvements that applicant has made. The test for combining references is what the references as a whole would have suggested to one of ordinary skill in the art. References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. In re Sheckler, 168 USPQ 716 (CCPA 1971); In re Conrad, 169 USPQ 170 (CCPA 1971); In re McLaughlin, 170 USPQ 209 (CCPA 1971); In re Young, 159 USPQ 725 (CCPA 1968). In this case, Brech teaches or suggest the advantages and desirability of the modification (see col. 1, line 13 through col. 2, line 18) and obviously, the advantages and desirability of Brech also can be applied to the integrated circuit of Noorbakhsh in order to obtain the desired improvements over prior art system or circuit.

Therefore, applicant's arguments are not deemed to be persuasive.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kee M Tung whose telephone number is 703-305-9660. The examiner can normally be reached on Tuesday - Friday from 6:30 am - 5:00 pm.

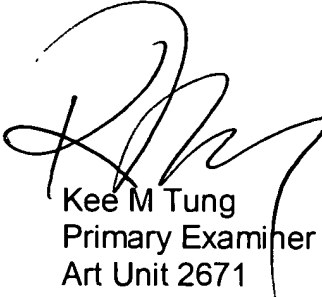
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Application/Control Number: 09/377,642
Art Unit: 2671

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

kmt
August 7, 2002



Kee M Tung
Primary Examiner
Art Unit 2671